



10/08/04

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Attorney's Docket No.: 17106-037001/1625

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Edwin Madison, et. al
Serial No. : 10/612,466
Filed : July 1, 2003
Confirmation No.: 8608
Title : NUCLEIC ACID MOLECULES ENCODING SERINE PROTEASE 16, THE ENCODED POLYPEPTIDES AND METHODS BASED THEREON

Art Unit : 1632
Examiner : Unknown
Customer No.: 20985

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, a Statement for Supplemental Information Disclosure Statement In Accordance With 37 C.F.R. §§ 1.97-1.98, Form PTO-1449 (1 page), and cited references for filing in connection with the above-identified application. No fee is due, however, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:

☒ The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No. 17106-037001/1625
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Stephanie L. Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
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Facsimile: (202) 626-7796
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CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label Number EV 399295425 US
Date of Deposit October 6, 2004
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie L. Seidman



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

This Supplemental Information Disclosure Statement is filed pursuant to 37 C.F.R. §1.97(c) and includes a certification in accordance with 37 C.F.R. §1.97(e). The certification applies to all of the references listed on Form PTO-1449 (1 page) provided herewith. Because this Supplemental Information Disclosure Statement is filed before receipt of a First Office Action on the merits for the above-captioned application, no filing fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and references are provided herewith.

The documents listed on the Forms PTO-1449 and provided herewith were cited in a communication from a foreign patent office in a counterpart foreign application not more than 30

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Stephanie L. Seidman

days prior to the filing of this Supplemental Information Disclosure Statement. Form PTO-1449 (1 page), an international search report, and copies of the cited documents are provided herewith and are in the English language. Each item of information contained in this Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, nor to the knowledge of the applicant's representative, after making reasonable inquiry, was any item of information contained in this Form PTO-1449 known to any individual designated in §1.56(c) more than 30 days prior to the filing of this statement.

Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No. 17106-037001 / 1625

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**STATEMENT FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
IN ACCORDANCE WITH 37 C.F.R. §1.97(e)**

Dear Sir:

1) This Statement is being made for the Supplemental Information Disclosure Statement accompanying this Statement.

2) I, Stephanie Seidman, certify that all items of the information contained in the accompanying Supplemental Information Disclosure Statement were first cited in a communication from the International Searching Authority dated September 7, 2004, in connection with PCT International Patent Application No. PCT/US03/20959, which claims priority to U.S. Provisional Application Serial No. 60/394,347 to which the above-captioned application also claims the benefit of priority. Thus, the items of information were first cited in a communication from a foreign patent office in a corresponding foreign application not more than 30 days prior to the filing of the attached Supplemental Information Disclosure Statement.

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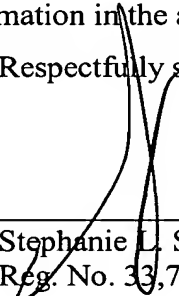
Stephanie L. Seidman

Applicant : Edwin Madison, et. al
Serial No. : 10/612,466
Filed : July 1, 2003
Statement for sIDS
Page : 2 of 2

Attorney's Docket No.: 17106-037001 / 1625

3) The person making this Statement is an attorney of record in the above-captioned application and signs below on the basis of information in the attorney's file.

Respectfully submitted,

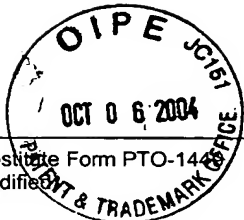


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Email: seidman@fr.com
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| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17106-037001 / 1625 | Application No. 10/612,466 |
| List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b)) | | Applicant Edwin Madison, et. al | |
| | | Filing Date July 1, 2003 | Group Art Unit 1632 |

U.S. Patent Documents

| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
|---------------------|--------------|--------------------|---------------------|----------|-------|----------|-------------------------------|
| | | None | | | | | |

Foreign Patent Documents or Published Foreign Patent Applications

| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation | |
|---------------------|--------------|--------------------|---------------------|-----------------------------|-------|----------|-------------|----|
| | | | | | | | Yes | No |
| | | None | | | | | | |

Other Documents (include Author, Title, Date, and Place of Publication)

| Examiner Initial | Desig. ID | Document |
|---------------------|--------------|---|
| | A | Database Gencore US 20020064856 Plowman et al Alignment SID 6. 06 June 2000 |
| | B | Hiyoshi M. "Oviductin, the oviductal protease that mediates gamete interaction by affecting the vitelline coat in Bufo japonicus: its molecular cloning and analyses of expression and posttranslational activation." Dev. Biol. 2002 Mar 1;243(1):176-84. pg. 180, paragraph 2 |
| | C | International Search Report No. PCT/US03/20959 dated September 7, 2004 |

| | |
|--|-----------------|
| Examiner Signature | Date Considered |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. NUCLEIC ACID MOLECULES ENCODING SERINE PROTEASE 16, THE ENCODED POLYPEPTIDES AND METHODS BASED THEREON | |